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## THE ALCOHOL QUESTION IN SWITZERLAND.

The war against the misuse of intoxicating drinks has, in some parts of Switzerland, a long and varied history. With the amendment of the National Constitution, in 1885, and the laws resulting from or suggested by it, the movement acquired a more general and national character and, at the same time, reached a stage where a backward glance on the road already traveled and the objects attained, may be helpful. The introduction of the brandy monopoly has, in particular, attracted widespread attention. It would, however, be one-sided in considering the whole problem and in estimating the results attained, to limit one's self to a discussion of the monopoly. Leaving aside the more or less important assistance of individuals and the manifold activity of organized private effort, legislation alone presents a complicated plexus of measures of which the monopoly is but one, and of which each one has its own signification and lays claim to its own proper place in the system.

We shall not attempt here to do justice to the efforts of individuals in combating the evil of intemperance, and even in regard to legislative action we must content ourselves with briefly sketching its most important features.

The most radical means of opposition to alcohol are legal prohibition and its correlative in the domain of private activity, total abstinence. There has never been in Switzerland, to our knowledge, any serious discussion of the introduction of prohibitory laws, owing to the openly-hostile attitude of public opinion to so radical a measure. Neither has total abstinence, as a principle of conduct for adults, ever found much encouragement among us. As a rule for children, and a remedy for intemperance, however, abstinence from all, or at least from certain spirituous beverages, has won for itself of late, even with us, a heightened,

although by no means an universal recognition. For example, the Temperance Society of the Blue Cross, which proclaims total abstinence both as a cure and as a duty imposed by Christian ethics, numbered in 1877 only thirty-two, six years later, 2763, and in 1890, 5348 adult members and adherents. Under these circumstances, it is superfluous to consider farther in this sketch the principle of total abstinence.

It has been often asserted, perhaps too unconditionally, by prominent students of the alcohol question, that the use of fermented liquor gave rise in ancient times to drunkenness, with its individual outgrowths, but that the malady of alcoholism is a modern disease of the body social, produced by the introduction and consumption of brandy. It is, in any case, on the supposition of the existence of different degrees of harmfulness in the various beverages that the legislative struggle with intemperance in Switzerland, which has, in the last ten years, reached a species of conclusion, chiefly rests. The aim of the government was, in substance, to improve the quality of brandy, and, at the same time, to check its consumption by substituting for it the less harmful wine and beer.

Before taking into consideration the execution of this programme, we must notice a contemporaneous but entirely distinct movement, *i. e.*, the agitation against the tavern.\* People began very early to associate the spread of alcoholism with the existence and ever-increasing number of public resorts for the sale of liquor; consequently, to diminish the number of these establishments or, at least, to check their farther multiplication, seemed to many one of the best, if not *the* best, and only means of combating the evil. So in Switzerland, for example, where an especially strong interest has been shown of late in the cure of this universally recognized malady, the movement was in the beginning almost

\* [German *Wirthshaus*. The somewhat antiquated English word "tavern" is the only one we have which adequately expresses the German original. The American "saloon" is practically unknown on the European continent, where eating and drinking remain much more intimately associated than with us.—TRANSLATOR.]

entirely governed by this principle. It became, therefore, a question of the first importance, whether or not the government should have the right to regulate the relation between supply and demand in the sale of intoxicating liquors; in other words, whether or not the government would be justified in rejecting a petition for a tavern license on the ground that there were already in existence in the place in question a sufficient number of such establishments. Such action on the part of the government was, however, irreconcilable with Article 31 of the Constitution of 1874, which guaranteed freedom of trade throughout the Federation under certain restrictions pertaining to finance and police. It was asserted by the upholders of the principle above referred to, of *the more taverns the more drinking*, that this Article 31 was responsible for the multiplication of public houses, and, consequently, for the increase of alcoholism, and they advocated, therefore, a revision of the Constitution, limiting the freedom of trade as far as the sale of liquor was concerned.

We could not and cannot share this opinion, and as it is supported outside of Switzerland with equal, if not greater, persistence, we hope we may be pardoned for setting forth briefly the opposing view. We find that the movement, as above described, has two distinct elements, viz., the struggle against the tavern and that against alcoholism. By alcoholism we understand the evil effects on individuals and society of an immoderate use of intoxicating liquors, whereas the tavern evil is only a specific but perverted outgrowth of the natural craving for entertainment and society. In direct contradistinction to alcoholism, it may exist where there is only moderate drinking. The tavern evil certainly leads in many cases to the immoderate use of alcohol, and, consequently, to the disease of alcoholism; but these are not its necessary and, very often, not its actual, consequences. Alcoholism can be produced and exist independent of the tavern, and *vice versa*. It is clear that there is an inevitable connection between the tavern and the tavern evil, but the relation between this evil and the number of taverns is by no

means a necessary one. It is a matter of experience that one tavern may cause more trouble than ten. Still less intimate is the relation between alcoholism and the tavern on one hand and alcoholism and the *number* of taverns on the other. There is no more connection than between the number of railroad stations and the amount of traffic, or the frequency of accidents. Taverns, like the stations, are so various in character and influence that they can hardly be classed together as a whole, and to attempt to do so is to sacrifice *quale* to *quantum* in an unfair and inadmissible way. As traffic utilizes other channels besides the railroads, so the tavern is not the only and, in many cases, not the principal refuge of that taste for liquor which leads to alcoholism. Suffice it, in this connection, to call attention to the fact that the public establishment for the sale of liquor plays a very different rôle in the town and in the country, in the regions where wine or brandy is produced and those in which vineyards and distilleries are wanting, etc. In most countries, and especially in Switzerland, where real grog-shops are few, brandy, of all drinks the most injurious and which leads most quickly and surely to alcoholism, does most harm where it is set forth by the private host rather than the public landlord, drunk at home and in the workshop rather than in the tavern.

The tavern evil cannot well be investigated statistically. But the international statistics of alcoholism, by their contradictory testimony, go to confirm what has been said above. They show increase in the number of public houses, with and without increase of the consumption of liquor and of alcoholism; decrease in the number of taverns, with and without decrease of intemperance; relatively large numbers of public drinking places, with relatively little drinking, and *vice versa*. Where, however, a reduction of the number of taverns has been followed by a decrease of alcoholism, such reduction has either been accompanied by other important measures, or has been so radical as to partake of a prohibitory character.

From these considerations we draw the conclusion that while the reduction of the number of taverns may occasionally and under certain circumstances produce a decrease of the tavern evil or of alcoholism or of both, we cannot look for either an universal or certain result from the measure, especially as regards alcoholism. Nevertheless, we are not so prejudiced as not willingly to sacrifice our personal opinion to an occasional and, so to speak, accidental success, did not history teach us that the execution of such measures can and has given rise everywhere and always to arbitrary and illegal discriminations, and that the principle in question may but too easily be used as an *instrumentum regni*. We are, therefore, opposed on principle to any regulation of the sale of liquor which may be proposed under the title of the question of consumption.

On the other hand, we would be warm adherents of any measures which promise an amelioration of the tavern evil, leaving untouched the equality of all before the law. We welcome all efforts to obtain a higher level in the character of the license holder, and of the tavern, measures requiring certain guarantees of the personality of the licensee, which harmonize the location and internal arrangements of the tavern with considerations of public good, which limit the time of sale for the promotion of public order, which provide for proper food and entertainment, and which exclude immoral influence.

Considerations of this nature induced the Swiss Federal Government to abandon a proposed amendment to Art. 31 of the Federal Constitution. They had all the more reason for the action, as it seemed undesirable to allow the whole movement against alcohol to fall into a futile struggle against taverns, and thus side-track the entire movement.

In the course of events Art. 31 was, however, revised. In the legislative bodies the adherents of the doctrine that there was a direct connection between alcoholism and the number of taverns, joined hands with the Federalists, a political party that would leave no opportunity unimproved to conquer

any powers for the Cantons. The position of the Federalists induced the members of other parties to agree to the proposed revision, as this concession seemed the only means of securing the aid of the Federalists for the proposed extension of the Federal power over the manufacture and sale of distilled spirits. The Executive gave its approval so soon as it was convinced that further measures for restricting the consumption of brandy were sure to follow. The action was ratified by the direct vote of the people. The two amendments, increasing the power of the Cantons on the one hand and of the Federation on the other, were submitted together to the vote of the people, and hence a clear and distinct expression of principles was impossible.

The revision of Art. 31 gave the Cantons legislative power to subject the sale of liquors to the restrictions that the public welfare demanded. But the power granted was not so extensive as proposed by those who looked for a sovereign remedy in the reduction of the number of taverns. The Federal Government was careful in its decisions upon appeals from the action of the cantonal governments to protect, so far as possible, the equality of all citizens before the law. In its decisions it said that while citizens could not claim absolute commercial freedom in this matter, they could rightfully demand that the limitations should be such as would operate in the same manner for all persons in the same situation. Before the adoption of the Federal Constitution the legislation of fifteen Cantons and half-Cantons, with a population of 1,700,804 persons (census of 1888) had, apart from certain special exceptions, not adopted the standard of necessity in determining the number of places for the sale of liquors. Ten Cantons, with a population of 1,232,530, had legislation based on that principle. In three of the latter, and the most important of them, law and practice stood in a more or less drastic contrast.

Since the amendment of 1885 four Cantons with 580,694 population, have adopted the principle in question, so that to-day three-fifths of the Swiss Cantons have a restrictive

policy, while in the other two-fifths there are no special provisions regulating the liquor traffic. The fiscal and police regulations governing the trade were not touched by the revision of 1885. They have been made almost universally more stringent. It is fortunate that the whole question has become the subject of increased attention. This seems to us the main fruit of the legislation. It is much to be regretted that the imperfection of human institutions has prevented a strict harmony of actual practice with the laws as they stand on paper.

The number of places for the sale of liquor, as shown by the *Statistical Annual*, has increased from 1882 to 1888, in all Cantons, by 625. In the fourteen Cantons with restriction (Berne, Lucerne, Uri, Obwalden, Nidwalden, Zug, Fribourg, Basel (city), Aargau, Valais, Basel (country), Vaud, St. Gall and Schaffhausen) the number has increased from 10,890 to 11,011. But if Valais should be omitted, where a different principle was followed in obtaining the figures at the two dates, this class of Cantons shows 10,237 taverns in 1882 against 10,144 in 1888, or a decrease of ninety-three. Eight Cantons show a decrease of 298, the remaining six an increase of 205 licenses. In the increase are included two Cantons which adopted the principle of restriction in 1885 (showing an increase of 183 licenses), and it would seem that the traditions of the older legislation were still at work. In the eleven Cantons without restriction, the increase in the same period was 254 (1882, 10,743; 1888, 10,997 taverns). In six Cantons (Zürich, Solothurn, Appenzell A-Rh., Graubünden, Thurgau and Ticino), there was an increase of 397; in the remaining (Schwyz, Glarus, Appenzell I.-Rh., Neuchâtel, Geneva) a decrease of 143. In view of the somewhat doubtful comparability of the figures and of the position we take in the question, we shall not draw any farther conclusions from the figures given.

Let us turn from this point to the main question. We have shown that the solution of the liquor problem was sought mainly in the substitution of wine and beer for

strong drinks, and in the improvement of the quality of the latter. It remains to be shown in detail how the problem has been approached.

We would emphasize first the increase in the cost of distilled liquors by the imposition of federal and cantonal taxes. The federal taxes consist in the duties on imported spirits for the benefit of the federal treasury, and in the tax on consumption for the benefit of the Cantons, introduced in 1887 in the form of a monopoly. These taxes are imposed on all distilled liquors with the exception of those made in Switzerland from grapes, fruits, berries and roots of Swiss origin. The monopoly, apart from practically inconsiderable exceptions, is applied as follows:

*A.* For the home production—(1) by the purchase by the monopoly administration of all raw spirits produced from materials containing starch, and the sale of this product in the form of pure raw spirits or rectified spirits at monopoly prices; (2) by collection of monopoly fees on the production of raw spirits and brandy from grapes, fruit, berries and roots of foreign origin.

*B.* For imports—(1) by transferring to the monopoly administration the exclusive privilege of importing spirits, and raw spirits and by the sale of the same in pure quality at monopoly prices; (2) by the collection of monopoly fees on brandies and liquors of every kind imported by private persons.

Customs duties and monopoly charges are so adjusted that the qualities consumed by the agricultural population and the great mass of the people are less heavily burdened than the finer qualities, consumed by the well-to-do classes. The same holds true for the taxes introduced after 1887 in the various Cantons on the sale of distilled liquors of all kinds in quantities of less than forty litres.

With the introduction of the new taxes on consumption and sale of liquors, the old taxes of the various Cantons have been *de facto* or *de jure* superseded. In general, the old taxes retained and the new ones introduced are about three times higher than those before 1887, exact calculations

being out of the question. The taxes are still comparatively low, and the reproach often heard, that the philanthropists of alcohol reform in Switzerland have been led by financial considerations, is unfounded, since few states in similar positions to Switzerland have more moderate taxes on distilled spirits. It is due to historical conditions that the taxes are felt by the different sections of the country with varying force according as they possessed previously low or high taxation. This is the more to be regretted since, under the old order of things, the highest taxes on liquors occurred in those Cantons where, in consequence of an irrational system of taxes on wine and beer, the consumption of distilled liquors was greatest, in Cantons where it would have been highly desirable to have the new tax felt most strongly. It seems to us that the existing taxation of distilled liquors can only ameliorate indirectly the evils of their use and only in conjunction with other measures. The most important of these we consider the cheapening of fermented liquors.

This was accomplished on the one hand by the abandonment of the cantonal and communal duties (*Ohmgelder* and *Oktrois*) on wine and beer, and, on the other hand, by the adoption of a constitutional amendment whereby the sale of fermented liquors in quantities of more than two litres should be subjected to no further restriction than such as may be necessary to prevent adulterations and to preserve health. Wine and beer are subject at present only to the Federal customs duties and the cantonal tavern license. Recently, as has already been said, the latter have been generally more or less increased. The customs duties are very low. We should regret, from the standpoint of the alcohol question, if fiscal interests or protectionist tendencies should bring about any change in this matter and thus render wholly or partially ineffective the abolition of the cantonal duties.

The abolition of the duties (*Ohmgelder* and *Oktrois*) on wine and beer was beneficial in practice chiefly to the

consumers who were able to buy these drinks for domestic use by the keg. The prohibition of all taxes on small sales aimed at the cheapening of these wares to persons who could not buy in such amounts, but were forced to purchase in small quantities. Unfortunately, this purpose has not been as fully attained as it was desired. The traditions of former legislation, as well as a lack of commercial enterprise, have prevented a general organization of such retail trade in the manner conceived by the legislators.

An improvement of the quality of all liquors accompanied the cheapening of fermented liquors and the increased price of distilled liquors. In regard to spirits the federal and cantonal governments have divided the task. The federal government, through the monopoly administration, guarantees the good quality of all the materials which come into commerce, and the cantonal governments see that the liquors and liqueurs meet the requirements of a sound hygiene. The work of the cantonal government is carried out with varying degrees of effectiveness. In general, however, there is a decided gain in the seriousness with which the task has been taken up, since the inception of the reform movement and notably in those districts where the use of distilled liquors is the most extensive. At this point we cannot discuss farther the general significance of the purity of distilled liquors in the struggle with alcoholism, nor the measures which have been taken by the Swiss monopoly to secure this purity.\*

In connection with the purity of fermented liquors attention should be called to the many and costly efforts of the federal and cantonal governments in recent years to improve the cultivation of the grape and other fruit by destroying insects and diseases, by improving the agricultural instruction, by establishing experiment stations, by ordinances on planting fruit trees by the road sides, and by laws for insuring the genuineness of wines.

\* The author has treated this subject in a report to the Third International Congress against the misuse of spirituous liquors (Christiana, 1891), and also in the *Geschäftsbericht der Alkoholverwaltung* for 1890.

Furthermore, we should mention the police regulations of the Cantons in regard to food. They are of earlier origin, but their execution has gained in vigor since the reform movement of the last decade. That there is still something to be desired in this connection cannot be denied. There are, therefore, those who find the cantonal authority too narrow in this field and strive for something better and uniform under federal action. In this connection should be mentioned the resolution of the Nationalrath, in June, 1887, requesting the Bundesrath to investigate and report what measures in the way of federal legislation ought to be taken supplementing the ordinances of the cantonal governments relating to the manufacture and sale of pure food, and especially compelling the makers and sellers of all wares to call them by their right names. Recently the government of Zürich has brought forward a proposal for a federal law fixing police regulations for food. The field of action of the Federation in regard to fermented-liquor police is quite restricted. So it may be reduced to a differential taxation of natural and refined wines which are imported.

The struggle with alcohol did not rest with these achievements, the increased price of distilled liquors, the cheapening of wine and beer, and the improvement in quality. These general measures were accompanied by two special measures whose importance is by no means insignificant, the regulation of distilleries and the application of one-tenth of the monopoly receipts for the struggle with alcoholism.

Peddling distilled liquors is recognized in different sections as a dangerous practice. The federal law of 1886 prohibits this form of sale. But worse than the evils of peddling, according to the experience of Switzerland and other nations, are those which arise from the existence of small stills in agricultural districts. The evils of the use of spirits in the country were produced or accentuated by the fact that peasants took the production of distilled liquors in constantly increasing quantities into their own hands, although little fitted for the work. This product, by reason of the primitive methods of

manufacture and the absence of rectification, was excluded from the market. It was therefore consumed where produced, and in a quantity far outstripping any necessity.

Dr. Schild described the effects of these small stills in various sections of Switzerland in 1864. We may take his words as an accurate description to-day. "In the fields," he writes, "in the houses, and in the work-shops, we are forced to the conclusion that 'schnaps' is the daily drink, morning and evening. The many stills bring 'schnaps' in plenty into the peasants' houses, and the workmen must be content with it and, *nolens volens*, accustom themselves to it. Even children are often given a little drop and this becomes gradually a large drop, and then a little glass and finally a whole glass. No one should be surprised that drinking has become so common in peasant houses ; that contrary to former customs and habits, peasants' sons appear in taverns after having become at home regular drinkers. Many illustrations are familiar here in the country of respectable peasant families who have become distillers and who have been ruined by the immoral consequences of 'schnaps' drinking, despite the material advantages which they have gained."

All this is essentially changed through the efforts of some of the Cantons, but mainly thanks to the introduction of the Swiss alcohol monopoly. Fourteen hundred large and small distilleries have been suppressed since 1887 by expropriation. For the remaining sixty or seventy distilleries the monopoly administration is the only purchaser. The product does not go directly from distiller to consumer. It flows into a reservoir sealed officially, and accessible only to the authorities. The administration takes it under legally fixed conditions and brings it back, rectified if not sufficiently pure, into trade, at monopoly prices. To these provisions of the monopoly law in their relation to consumption we would ascribe a greater and more direct influence than to the taxation of liquors. But in our opinion these advantages are due to the monopoly character of the administration. The monopoly has rendered the description above cited obsolete. There is

a great difference whether men run after liquor or it runs after them.

Less important, perhaps, but not to be passed over without consideration, is the provision that one-tenth of the monopoly receipts shall be applied to the struggle with alcoholism. We speak of the future, since the laws and ordinances on this subject are not all ready and operative. In so far as the tendencies of these laws is apparent, their main purpose is to provide more largely for the care of the insane and poor and to support private enterprises which aim at the diminution of the vice of drinking. The tenth amounts to from 600,000 to 700,000 francs annually. The struggle against alcoholism is, as it were, endowed with a capital of over 20,000,000 francs. This proves that merely fiscal purposes were not the only determining factors in the creation of the monopoly.

We have thus far discussed the most essential legal measures agaifst the misuse of alcoholic liquors and may turn now to the results accomplished as far as they can be enumerated.

The report of the alcohol monopoly for 1890 gives the following figures on the consumption of distilled liquors at 50° of all kinds per capita.

1882,	9.4	litres	} before the monopoly.
1885,	10.26	"	
1890,	6.27	"	} under the monopoly.
1891,	6.32	"	

As the report says, "If we compare the figures for the years 1882, 1885, 1890 before and after the introduction of the monopoly, we see a per capita increase of .86 litres for the period preceding the monopoly, but a decrease of 3.99 litres per capita since its introduction. A decrease of such tremendous proportions has not, however, actually taken place. Formerly a large part of the distilled liquors produced in Switzerland or imported into it was smuggled into foreign countries and was not actually consumed in Switzerland. Since the introduction of the monopoly this smuggling has almost ceased. Nevertheless, we maintain that the use of

distilled liquors has decreased since the law went into effect. This is confirmed not only by the opinions of competent judges from different sections of the country, but it is also indirectly shown in the figures above cited. If we should assume that the actual consumption of 1885 was the same as in 1890, that is 6.27 litres per capita, instead of 10.26, we must conclude that of 300,000 hl., which made the apparent consumption of 1885, as much as 116,825 hl., or 31,969 litres per day, were smuggled into foreign countries, which is contradictory to all probability. The smuggling into Switzerland since the introduction of the monopoly is, according to the unanimous opinion of the customs officials, quite insignificant, and in any case would not seriously affect the results given, since it would be counterbalanced by the smuggling into other countries, still existing to a small extent. The undoubted decrease of the consumption of distilled liquors, even if not exactly measurable, is so much the more fortunate, as a noticeable increase took place in former years." We estimate the actual reduction in the use of spirituous liquors at 25 per cent.

Since the purpose of the Swiss legislation was not so much to suppress the use of distilled liquors as to supplant it by that of wine or beer, we must consider the use of fermented liquors. The importation of wine increased much between 1885 and 1890. But, according to our information, these increased importations only supplied the tremendous falling off of the home production in the period named. We are inclined to think that in recent years the consumption of wine has suffered no increase, or at least no considerable increase, but that it has uniformly remained at from 55 to 60 litres per capita. With beer the case has been different. We estimate the consumption of 1885 at 36 litres per capita, that of 1890 at 45 litres, an increase, therefore, of 25 per cent. General observations lead us to believe that there has also been an increase in the fruit wines, but we cannot give even estimates of it in figures. We have, therefore, the result which for us seems a favorable one, that the use of distilled liquors has

decreased in favor of the fermented liquors containing the least alcohol, beer and fruit wines.

It would appear to us ridiculous if in such facts anyone should see an increase of the evils which we designate with the general name alcoholism. It is, on the contrary, probable, and this is confirmed by the judgment of unprejudiced men, that these evils have decreased. Unfortunately this cannot be proven by figures. In the first place the experience is so recent that the results of the alcoholism of an earlier period are necessarily not yet overcome, and, furthermore, the statistical observations in the field, at least so far as Switzerland is concerned, are, for various reasons, not of such a nature that a conclusive comparison of the former and recent years would be possible.

These statistics have been much improved of late and not least because of the agitation of recent years. If this does not help us so far as the past is concerned it will probably enable the future observer to determine whether the passions which alcohol awakes and fosters have been strong enough to break through the obstacles which philanthropy and State policy have placed in their way. We are convinced that things have changed for the better with us in recent years. It does not blind us to the fact that many evils still exist in Switzerland, nor does it blind us to the dangers which threaten that which has been accomplished. In the battle with alcohol watchfulness is essential. Such an enemy should find no breach open. We hope and expect that Switzerland will maintain not only the position which it has taken, but will strengthen and improve it. But it can do so only with full consciousness of the fact that in the struggle against the misuse of alcoholic liquors, which threatens the individual and the state in its very essence, minor interests must remain in the background, that agricultural interests in the alcohol question cannot be allowed to predominate, and that in the words of St. Chrysostom, "Wine is the gift of God; drunkenness, the gift of the devil."

Berne.

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[Translated from the German manuscript of the author.]